Docket #0012 Date Filed: 2/4/2021

United States Bankruptcy Court
District of Delaware

In re: Welded Construction, L.P., *et al.*, Debtors.	Chapter 11
	Case No.: 18-12378 (CSS)
Welded Construction, L.P., Plaintiff	(Jointly Administered)
v.	Adv. Proc. No.: 20-50934
Kirk Excavating & Construction, Inc., Defendant.	

ALIAS SUMMONS AND NOTICE OF PRETRIAL CONFERENCE IN AN ADVERSARY PROCEEDING

YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Address of Clerk:
824 Market Street, 3rd Floor
Wilmington, DE 19801

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address of Plaintiff's Attorney:	Name and Address of Plaintiff's Attorney:
Primary Counsel: Joseph L. Steinfeld, Jr., DC SBN 297101 MN SBN 0266292, VA SBN 18666 Anastasia Kazmina, MN SBN 0398419 ASK LLP 2600 Eagan Woods Drive, Suite 400 St. Paul, MN 55121 **Telephone:** 651-289-3854 **Fax:** (651) 406-9676 **E-Mail:** akazmina@askllp.com	**Co-Counsel:** Josef W. Mintz, Esq., DE 5644 BLANK ROME LLP 1201 Market Street, Suite 800 Wilmington, Delaware 19801 Tel: (302) 425-6400 Email: mintz@blankrome.com

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place.

Address: 824 North Market Street Wilmington, DE 19801	Room: Courtroom No. 6 Floor: 5th Floor Date and Time: April 6, 2021 @ 11:00 am

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

United States Bankruptcy Court for the District of Delaware

/s/ Una O'Boyle
Clerk of the Bankruptcy Court

Date: February 4, 2021



IN RE: WELDED CONSTRUCTION, L.P., ET AL.
CASE NO. 18-12378 (CSS) ADV.NO.: 20-50934
KIRK EXCAVATING & CONSTRUCTION, INC.

PROOF OF SERVICE

STATE OF MINNESOTA, COUNTY OF DAKOTA

I am a resident of the County aforesaid. I am over the age of 18 years and not a party to the within entitled action. My business employment address is

2600 Eagan Wood Drive, Suite 400, St. Paul, Minnesota 55121

On the date indicated immediately above my signature below, I served the foregoing documents described as:

1) COMPLAINT;
2) ALIAS SUMMONS; and
3) NOTICE OF DISPUTE RESOLUTION ALTERNATIVES.

on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at St. Paul, Minnesota, addressed as follows:

Counsel for Defendant [**via Certified Mail 7019 2280 0001 0971 3172**]
Eric J. Wittenberg, Esq.
Cook, Sladoje & Wittenberg Co., L.P.A.
5131 Post Road, Suite 100
Dublin, Ohio 43017

☐ By Regular Mail - I caused such envelope with first class postage thereon, fully prepaid to be placed in the United States mail.

☒ Certified Mail (return receipt requested) with first class postage thereon, to be mailed in the United States mail.

I declare that I am an employee in the offices of a member of the State Bar of this Court at whose direction the service was made.

I declare under penalty of perjury under the laws of the State of Minnesota that the foregoing is true and correct.

Executed at St. Paul, Minnesota on February 4, 2021.

/s/ Jennifer Hepola

Jennifer Hepola, Declarant
No: 2194176 Stat: - Answ: /*